

How the “Torah of Moses” Became Revelation

An Early, Apocalyptic Theory of Pentateuchal Origins

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Abstract

Noting that, in the Hebrew Bible, law, but not narrative, is attributed to Moses, this paper argues that the notion of the “Torah of Moses” as revealed literature, word for word dictation to Moses, is to be traced to a late Second Temple construction of the Pentateuch as apocalypse. The move is evident in the Book of Jubilees, who introduces his work with a detailed account of revelation at Sinai that includes his own work, the “Divisions of the Times,” an apocalypse, but not the “Torah of Moses.” However, as Jubilees overlaps with Genesis in great measure and, it is argued, refrains from alluding to the Pentateuch throughout, the claim would seem to be that the “Divisions of the Times” actually preceded the Pentateuch as one of its sources. The implications of this view for understanding Rewritten Bible and interpretation in the late Second Temple period are considered.

Keywords

Pentateuch – Book of Jubilees – apocalypticism – pseudepigraphy – Dead Sea Scrolls – revelation – Rewritten Bible – interpretation

The question of the Mosaic authorship of the Pentateuch has not been correctly formulated because the issue has been treated apart from its

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canonical function . . . critical historical scholarship defined the issue of authorship in a modern sense and investigated it as a strictly historical problem.

BREVARD CHILDS, *Introduction to the Old Testament as Scripture*, 133

What is Scripture?¹

The same methodological weakness for which Brevard Childs once criticized historical critical scholarship may hold him back as well. If the significance of the Bible does not lie exclusively in an understanding of its documentary sources, it can be no more contained within any supposed final, canonical form. We need to move away from the uniformitarian view imposed by the notion of canon and not just by considering the early fluidity of canonical boundaries, as so many have done.² What Scripture is continues to be negotiated and configured through actual use within reading communities—in every meaningful way, the Bible continues its formation. Furthermore, recent interest in the history of interpretive traditions, unwittingly, may help maintain the myth of Scripture's stability by framing developments as instances of "early biblical interpretation," thereby, assigning all novelty and variability to individual received readings.³ In fact, readers of the Bible (of any text, really) operate within a broader "field of production," which includes not only the material construction of the text⁴ but ongoing societal constructions of its

1 The phrase is owed to Wilfred Cantwell Smith, *What is Scripture? A Comparative Approach* (Minneapolis: Fortress, 1993).

2 Christine Helmer and Christof Landmesser, eds., *One Scripture or Many? Canon from Biblical, Theological, and Philosophical Perspectives* (Oxford: Oxford University Press, 2004); Lee Martin McDonald and James A. Sanders, eds., *The Canon Debate* (Peabody, MA: Hendrickson, 2002); and Arie van der Kooij and Karel van der Toorn, eds., *Canonization and Decanonization* (Leiden: Brill, 1998). See, further, the recent monograph by Timothy H. Lim, *The Formation of the Jewish Canon* (New Haven: Yale University Press, 2013).

3 Thus, a stable sense of an "interpreted Bible" with shared assumptions about its authority and nature emerges in James L. Kugel's account (*Traditions of the Bible: A Guide to the Bible As It Was at the Start of the Common Era* [Cambridge: Harvard University Press, 1998], 1-30). In this connection, see Hindy Najman, "The Vitality of Scripture Within and Beyond the 'Canon,'" *JSJ* 43 (2012): 497-518, esp. 512. A critique of Kugel's use of "Bible" is found in John C. Reeves, "Problematising the Bible . . . Then and Now," *JQR* 100 (2010): 139-52.

4 The lack of textual standardization in the centuries leading up to the Common Era is surely one significant feature of the "Bible" in this regard during this period. See, for instance,

authority, purpose, and nature—all of which precede and structure the textual practices we commonly call “interpretation.”⁵

What is needed is a model for the growth of biblical literature that incorporates the identification of divergent documentary purposes, like source criticism, the consideration of canonical function, like canonical criticism, and the tracing of multi-faceted, historically situated rereadings, like the study of interpretive traditions. This essay proposes to explore, through one example, the critical insight that may be gained from an approach that takes a maximalist view of the potential for differentiation among ancient readers’ understandings of what the Bible is and how its authority is constituted. I will consider the case of the second-century BCE pseudepigraphon, the Book of Jubilees,⁶ and the relationship it seems to posit between what we call the Pentateuch and the various sources that populate its imagined world with the aim of discerning what its author views these objects as being. Special attention will be paid to the link between theories of authorship or origins and the ontologies of Scripture that they presume. Indeed, there are still few critical studies of pre-critical beliefs regarding the composition of the Pentateuch. It is concluded that the view reflected in Jubilees of the Pentateuch or, at least, its component parts being a product of revelation to Moses—the earliest known attestation of such a position—is a function of its apocalyptic rendering of Scripture. Before turning to this work, however, a few words should be said by way of establishing the novelty of Jubilees’s position.

Eugene Ulrich, “Clearer Insight into the Development of the Bible: A Gift of the Scrolls,” *The Dead Sea Scrolls and Contemporary Culture*, ed. A. D. Roitman et al. (Leiden: Brill, 2011), 119–37.

5 See, in particular, Pierre Bourdieu, “The Historical Genesis of the Pure Aesthetic,” 285–312, in *The Rules of Art: Genesis and Structure of the Literary Field* (Stanford: Stanford University Press, 1996).

6 Recent book-length studies include James L. Kugel, *A Walk Through Jubilees: Studies in the Book of Jubilees and the World of its Creation* (Leiden: Brill, 2012); and Michael Segal, *The Book of Jubilees: Rewritten Bible, Redaction, Ideology and Theology* (Leiden: Brill, 2007). See also: James C. VanderKam, “Recent Scholarship on the Book of Jubilees,” *CBR* 6 (2008): 405–31. For a critical edition of the Ethiopic original and a translation, see VanderKam, *The Book of Jubilees* (CSCO 510–11, *Scriptores Aethiopici* 87–88; Louvain: Peeters, 1989); and, for the fragments found at Qumran, see VanderKam, *Qumran Cave 4. VIII: Parabiblical Texts, Part 1* (DJD 13; Oxford: Clarendon, 1994), 1–22.

The Pentateuch as Revealed Literature

How did the "Torah of Moses," what we now identify as the Pentateuch, come to be seen as revealed literature, in the words of the Rabbis, "the Holy One, blessed be He, spoke and Moses wrote?" (b. Menaḥ. 30a).⁷ Indeed, a straightforward, non-critical reading of the Torah might never arrive at something like the Documentary Hypothesis, but it also would not conclude that the five books in their present form were dictated to Moses at Sinai—the inclusion of his death at the end of Deuteronomy being only one of the more vaunted shortcomings of this view.⁸ One way to test this claim is to look at the nascent biblical criticism of the seventeenth-century French priest, Richard Simon. In his *Critical History of the Old Testament*, Simon suggests that Pentateuchal law originated from a different source than its narrative.⁹ The *laws* are explicitly said to have been transmitted by God to Moses, but the Torah never states that God conveyed *narratives* to Moses. Rather, Simon suggests, Moses would have had those events that transpired during his lifetime recorded in the public record on his behalf (hence, in the third person). As for the history that preceded Moses's life, the book of Genesis, he proposed that Moses depended upon ancient books or received tradition for his knowledge of the past. What Simon's views highlight is that there is nothing to suggest in the Pentateuch itself that, as a text, it is a direct product of revelation. More specifically, Pentateuchal sources do not frame stories about the past as objects of oracular

7 A parallel appears in b. B. Bat. 15a. The position is most famously (and influentially) articulated by Moses Maimonides as one of the basic principles of Judaism in his *Commentary on the Mishna*. For the text, see Isadore Twersky, ed., *A Maimonides Reader* (West Orange, NJ: Behrman House, 1972), 420–21. Rabbinic literature did not always speak with one voice on the subject. See Abraham Joshua Heschel, *Heavenly Torah: As Refracted Through the Generations*, trans. G. Tucker (New York: Continuum, 2005), 538–657; Marc Shapiro, *The Limits of Orthodox Theology: Maimonides' Thirteen Principles Reappraised* (Portland, OR: The Littman Library of Jewish Civilization, 2004), 91–121; Benjamin D. Sommer, "Revelation at Sinai in the Hebrew Bible and in Jewish Theology," *JR* 79 (1999): 422–51; Jon Levenson, "The Eighth Principle of Judaism and the Simultaneity of Scripture," *JR* 68 (1988): 205–25; and Nahum M. Sarna, "The Modern Study of the Bible in the Framework of Jewish Studies," *Proceedings of the Eighth World Congress of Jewish Studies* (Jerusalem: World Union of Jewish Studies, 1983), 19–27.

8 See, for instance, the commentary of Abraham ibn Ezra to Deut 34:1.

9 London: W. Davis, 1682, 1:36–59. For the French original, see Pierre Gibert, ed., *Histoire critique du Vieux Testament* (1678): *Suivi de lettre sur l'inspiration* (Paris: Bayard, 2008). On Simon, see Jean-Louis Ska, "Richard Simon: Un pionnier sur les sentiers de la tradition," *RSR* 97 (2009): 307–16.

pronouncement.¹⁰ Much to the consternation of some traditional interpreters, Genesis does not begin: “And God spoke to Moses, saying . . .”¹¹ In short, the stock and trade of deities in the world of the ancient Near East was not in narration, so how, between the biblical and rabbinic periods, did “the Holy One” come to be viewed as a revealer of events?

Simon’s reading is still held together, of course, by one remaining assumption not deriving from the Torah itself, namely that Moses compiled the Pentateuch in its entirety, that it is the “Torah of Moses” referenced throughout the Bible. In fact, *torat moshe* and its variants seem to denote some more limited body of law that came to be associated with the figure of Moses, not a mixture of law and narrative, such as that found in the Pentateuch.¹² In Deuteronomy, Moses is said to write a *torah* (31:24), which most likely refers to a component of Deuteronomy itself, something along the lines of the so-called Deuteronomic Code, the collection of law found in Deut 12-26. In Malachi, the prophet adjures: “Observe the *torah* of Moses, my servant, whom I commanded at Horeb laws and rules over all Israel” (Mal 3:22). Ezra is described as a “priest-scribe who writes the words of YHWH’s commands and laws over Israel” (Ezra 7:11, cf. 7:6). Finally, in Nehemiah, the people take an oath “to follow the *torah* of God, which was given through Moses, the servant of God, to keep

10 For a survey of Mesopotamian material seen as revelatory, see Karel van der Toorn, *Scribal Culture and the Making of the Hebrew Bible* (Cambridge: Harvard University Press, 2007), 207-14. The question of whether “revelation” is the right rubric for comprehending the delivery of Pentateuchal law as well is being set aside for now. Much of biblical law can only be seen as traditional or conventional, a far cry from the view of the law as hidden and heavenly that we shall see below in Jubilees.

11 See, in particular, Moses Nahmanides’s introduction to his commentary on the Pentateuch.

12 See Hindy Najman, “Torah of Moses: Pseudonymous Attribution in Second Temple Writings,” 202-16, in *The Interpretation of Scripture in Early Judaism and Christianity: Studies in Language and Tradition*, ed. C. A. Evans (Sheffield: Sheffield Academic, 2000); Joseph Blenkinsopp, “Was the Pentateuch the Civic and Religious Constitution of the Jewish Ethnos in the Persian Period?” in *Persia and Torah: The Theory of Imperial Authorization of the Pentateuch*, ed. J. W. Watts (Atlanta: Society of Biblical Literature, 2001), 41-62; and Juha Pakkala, “The Quotations and References of the Pentateuchal Laws in Ezra-Nehemiah,” in *Changes in Scripture: Rewriting and Interpreting Authoritative Traditions in the Second Temple Period*, ed. H. von Weissenberg et al. (Berlin: de Gruyter, 2011), 193-222. There remains uncertainty around whether “Torah of Moses,” in its various contexts, references a delineated composition or a mode of authorization, whether it refers to the Pentateuch or some other related composition, and how widely it was known and accepted as authoritative.

and carry out all of YHWH, our lord's, commands, rules and laws" (Neh 10:30).¹³ The point does not concern the history of the Pentateuch's compilation but, first and foremost, the history of its conceptualization. Even if we were to grant that, for instance, the author(s) of Ezra-Nehemiah had something like the Pentateuch in the form familiar to us today, that does not mean that the narratives included therein would have been seen as the product of Moses or, even, as essential to the definition of that work as *torah*.¹⁴ In short, the common argument, based on the supposed elasticity of the term, that *torah* can denote both law and narrative and, hence, potentially, constitute a description of the Pentateuch as a whole, has no basis in any biblical text.¹⁵ It would construe narrative, like law, as a medium of "instruction,"¹⁶ "as elucidating the proper norms of living and the relationship between God and the world,"¹⁷ a practice of exemplarity that seems better suited to Philo than Ezra-Nehemiah.¹⁸ Indeed,

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- 13 Other instances include 1 Kgs 2:3, Ezra 3:2, Neh 8:1, 2 Chr 23:18, 2 Chr 30:16.
 - 14 As Eugene Ulrich writes: "Is there any basis, other than the use of the elastic word 'Torah,' for believing that the major narrative parts of the received Pentateuch were part of the 'law of your God which is in your hand' (Ezra 7:14; cf. Neh. 8:1)?" (See "From Literature to Scripture: Reflections on the Growth of a Text's Authoritativeness," *DSD* 10 [2003]: 3-25 at 14).
 - 15 For an overview of the issue and its history, see Stephen Westerholm, "*Torah, Nomos, and Law: A Question of 'Meaning,'*" *SR* 15 (1986): 327-36. The argument for multi-valence seems to arise as an apologetic claim to counter Wellhausen's representation of Judaism as legalistic.
 - 16 *Torah* does not designate "instruction," in the sense of a particular kind of content, moral or legal teachings, but rather a certain mode of conveyance, a specific injunction or series of injunctions from one party to another. Thus, the "Torah of Moses" is not just a collection of Mosaic teachings but alludes to performative utterances, his "instruction" to Israel, which transpires in the Pentateuch around law, not narrative.
 - 17 Marc Brettler, "Torah," in *The Jewish Study Bible* (New York: Oxford University Press, 2004), 2. See also James A. Sanders, *Torah and Canon* (Philadelphia: Fortress, 1972), 3.
 - 18 See, in particular, *On Abraham* 1.1-6. On discursive practices responsible for a shaping of the Pentateuchal material as exemplary, see Hindy Najman, *Past Renewals: Interpretive Authority, Renewed Revelation, and the Quest for Perfection in Jewish Antiquity* (Leiden: Brill, 2010). Kugel, *Traditions*, 15-17, sees an approach to the Bible as a "Book of Instruction" as an intrinsic component of ancient interpretation. For the pedagogical bias in our interpretation of the Bible, see David Lambert, *How Repentance Became Biblical: Judaism, Christianity, and the Interpretation of Scripture* (New York: Oxford University Press, 2015), especially 91-92. See, also, John Barton, *Oracles of God: Perceptions of Ancient Prophecy in Israel after the Exile* (London: Darton, Longman & Todd, 1986), 154-78.

even an authority slightly earlier than Philo, such as the Letter of Aristeas (313), continues to conceptualize the “Torah of Moses” as, essentially, a work of law.¹⁹

How narration takes its place beside law, how the Pentateuch as a whole came to be seen as revealed text, may be a question that many assume can be resolved with reference to some intrinsic “canonical process.”²⁰ As Childs writes, “[it does not] seem possible from the evidence to understand in any detail the process by which the narrative material in the Pentateuch was accorded a similar canonical status to that of the laws.”²¹ And, further, “Although there is no explicit reference in the Old Testament which connects the book of Genesis to Moses, the move was made in Jewish tradition when the unity of the entire Pentateuch was assumed.”²² These comments and others suggest a certain inevitability to such transformations; assumptions of textual unity, authority, and divine authorship are part and parcel of the complex process whereby literature becomes Scripture.²³ However, we might do better to dispense with the model of an unfolding “canonical process” and, instead, seek to establish the specific discursive practices that came to constitute its elements. I would like to suggest that some of the blanks left by Childs could be filled if we were to link the particular developments he identifies to a specific form of discourse known to us from late Second Temple Judaism, whose literary remains, in general, offer us the only detailed, early evidence for the reception of the Pentateuch. Much work has been done on how apocalyptic literature authorizes a knowledge of the past and future, among other heavenly secrets, through the idea of revelation to an individual author-seer, often a biblical figure.²⁴ Less thought has been given, because of its presumed canonical

19 Note, also, Sir 17:11-14, 45:5, and see James L. Kugel, “Some Unanticipated Consequences of the Sinai Revelation: A Religion of Laws,” in *The Significance of Sinai: Traditions about Divine Revelation in Judaism and Christianity*, ed. G. J. Brooke et al. (Leiden: Brill, 2008), 1-13.

20 The phrase and its attending evolutionary assumptions are still basic to the field. See, for instance, Ulrich, “Clearer Insight,” 135.

21 *Old Testament as Scripture*, 63-64.

22 Ibid., 134. See, also, Ulrich, “From Literature to Scripture,” 8-9.

23 Note, for instance, the dominance of these categories in Lim, *Formation*, 1-16. As Jonathan Z. Smith points out, these need not be components of canon at all (“Canons, Catalogues, and Classics,” in van der Kooij and van der Toorn, *Canonization and Decanonization*, 295-311, esp. 298-99).

24 Scholarship on the early Enochic literature is particularly productive in this regard. See Loren T. Stuckenbruck, “The Epistle of Enoch: Genre and Authorial Presentation,” *DSD* 17 (2010): 387-417; Annette Yoshiko Reed, “Heavenly Ascent, Angelic Descent, and the Transmission of Knowledge in 1 Enoch 6-16,” in *Heavenly Realms and Earthly Realities in*

status, to how the authority of the "Torah of Moses" would have been configured within such a discursive framework,²⁵ but it stands to reason that it too would be put to the uses of apocalypticism and construed accordingly.²⁶ In short, the Pentateuch could be understood, with its certain knowledge of

Late Antique Religions, ed. R. Boustani and A. Y. Reed (New York: Cambridge University Press, 2004), 47-66; and George W. E. Nickelsburg, "The Nature and Function of Revelation in 1 Enoch, Jubilees, and Some Qumranic Documents," in *Pseudepigraphic Perspectives: The Apocrypha and Pseudepigrapha in Light of the Dead Sea Scrolls*, ed. E. G. Chazon and M. Stone (Leiden: Brill, 1999), 91-119. As Annette Yoshiko Reed notes ("Pseudepigraphy, Authorship, and the Reception of 'The Bible' in Late Antiquity," in *The Reception and Interpretation of the Bible in Late Antiquity*, ed. L. DiTommaso and L. Turcescu [Leiden: Brill, 2008], 467-90), the role of pseudepigraphy is to base authority on prior figures not merely because of their antiquity, but because they are associated with revelation of heavenly matters (see esp. 476-77). For matters of apocalypticism and definition, see John J. Collins, *The Apocalyptic Imagination: An Introduction to Jewish Apocalyptic Literature* (Grand Rapids: Eerdmans, 1998), 1-42. What is intended here includes the social dimensions of the term, a loose but still recognizable movement in the late Second Temple period, its discursive dimensions, discussion of an end time and attending periodization of history, and its literary dimensions, an interest in the demarcation of a certain genre of revealed literature, the apocalypse.

- 25 Indeed, a number of scholars have argued for evidence of a relative rejection of or disinterest in Mosaic Torah in early Enochic literature. See, most recently, Andreas Bedenbender, "The Place of the Torah in the Early Enoch Literature," 65-80, and George W. E. Nickelsburg, "Enochic Wisdom and its Relationship to the Mosaic Torah," in *The Early Enoch Literature*, ed. G. Boccaccini and J. J. Collins (Leiden: Brill, 2007), 81-94. Much of this discussion began with Gabriele Boccaccini, *Beyond the Essene Hypothesis: The Parting of the Ways between Qumran and Enochic Judaism* (Grand Rapids: Eerdmans, 1998). Asserting Mosaic authority against such an ideological and literary background would require claiming that the Torah too is revelation and a source of apocalyptic knowledge. On this theme, see, further, Andrei Orlov, "In the Mirror of the Divine Face: The Enochic Features of the *Exagoge* of Ezekiel the Tragedian," in Brooke et al., *Significance of Sinai*, 183-99; and Annette Yoshiko Reed, "Enochic and Mosaic Traditions in Jubilees: The Evidence of Angelology and Demonology," in *Enoch and the Mosaic Torah: The Evidence of Jubilees*, ed. G. Boccaccini and G. Ibba (Grand Rapids: Eerdmans, 2009), 353-68 (see esp. 365-66).
- 26 See, for instance, the readings found in Kugel, *Traditions*: "Sinfulness is Hereditary," 97-98, "The Purifying Flood," 188-90, and "Esau Means Rome," 358. It is important to study not only individual interpretive motifs but, also, to recognize the overall constructions of Scripture that lie behind them, in this case, the Pentateuch as a source of apocalyptic knowledge, a position particularly evident in the Pauline corpus. For examples of *pesher*-type activity in connection to the Pentateuch, see Shani Tzoref, "Qumran Pesharim and the Pentateuch: Explicit Citation, Overt Typologies, and Implicit Interpretive Traditions," *DSD* 16 (2009): 190-220.

the past, especially with regard to creation and human evil (Genesis),²⁷ and the future, predictions of exile and return (Deuteronomy),²⁸ its event of ascent and revelation (Sinai),²⁹ and scribal hero (Moses),³⁰ as something approaching an apocalypse, albeit one that did not necessarily efface, far from it, as we shall see, the earlier construction of the “Torah of Moses” as law. It is within such a framework, a world where the past too is subject to revelation, that it would make sense to come to see the Pentateuch in its entirety, inclusive of narrative, as revelation, a product of apocalyptic knowledge given to Moses at Sinai.

Jubilees, The “Divisions of the Times,” and Genesis

With recent scholarship focusing on Jubilees’s claims for its own Mosaic origins,³¹ its extraordinary move of bringing non-legal Pentateuchal material to Sinai has not been adequately noted. For the Book of Jubilees places within a Sinaitic framework material that covers much of the content and follows the basic sequence of Genesis and parts of Exodus. Specifically, it maintains that the “Divisions of the Times” was transmitted to Moses at Sinai by an angel of the presence during the “forty days and forty nights” that he remained upon the mountain (Exod 24:18; Jub. 1:4) after going up to get the stone tablets (Exod 24:12; Jub. 1:1).³² Now, this “Divisions of the Times” is said to include

27 See Kugel, *Traditions*, 179-81 (“A Bad Match”) and 181-83 (“The Wicked Giants”).

28 Note, in particular, Jub. 1 and 4QMMT C 9-23. For discussion, see Lambert, *Repentance*, 123-26 and 140-42.

29 See 4 Ezra 14:3-6, 2 Bar 59:4-5, *Exagoge* 89, and further passages in James C. VanderKam, “Studies on the Prologue and Jubilees 1,” in *For A Later Generation: The Transformation of Tradition in Israel, Early Judaism, and Early Christianity*, ed. R. A. Argall et al. (Harrisburg, PA: Trinity, 2000), 266-79, esp. 273. See, also, Ap. Abr. 9:5-10.

30 For various expansive representations of Moses, see Wayne Meeks, *The Prophet King: Moses Traditions and the Johannine Christology* (Leiden: Brill, 1967).

31 Hindy Najman, “Interpretation as Primordial Writing: Jubilees and its Authority Conferring Strategies,” *JSJ* 30 (1999): 379-410; Najman, *Seconding Sinai: The Development of Mosaic Discourse in Second Temple Judaism* (Leiden: Brill, 2003), 41-69; and James C. VanderKam, “Moses Trumping Moses: Making the Book of Jubilees,” in *The Dead Sea Scrolls: Transmission of Traditions and Production of Texts*, ed. S. Metso et al. (Leiden: Brill, 2010), 25-44.

32 This theory of Sinaitic revelation was clearly seen as having bearing not only on the transmission of Jubilees but Pentateuchal materials more broadly. For its subsequent history, see Hindy Najman “Angels at Sinai: Exegesis, Theology and Interpretive Authority,” *DSD* 7 [2000]: 313-33.

"what is first and what is last and what is to come during all the divisions of time" (Jub. 1:26). In other words, it is an apocalypse (though see, further, below). It is an apocalypse that begins with something like the creation story found in Genesis, "On the Lord's orders the angel of the presence said to Moses: 'Write all the words about the creation—how in six days the Lord God completed all his works . . .'" (Jub. 2:1), and continues from there with the rest of the Genesis-type material found in the Book of Jubilees. It also tells the chronological history of a progressive revelation of law; indeed, the legal teachings that it draws from the biblical narratives may be the most distinctive feature of the book. We cannot help but see that both of these constructions of biblical narrative—apocalypse and law—help resolve what, from within certain interpretive frameworks, would be the fundamental problems regarding Genesis's position within the "Torah of Moses": the nature of its association with Moses, its status (and that of the Pentateuch, more broadly) as revealed literature, and the place of narrative in what was still, at this stage, conceptualized as a book of law.

Now, of course, the book of the "Divisions of the Times" is not the book of Genesis. In fact, in a passage we will review shortly, Jubilees locates this work at Sinai but leaves out any specific textual transmission of the canonical narratives,³³ and, throughout its work, I will argue, avoids alluding to the Pentateuch proper. What I want to propose is that rather than representing itself as an addition to or interpretation of Genesis, as is commonly assumed,³⁴ Jubilees would set forth its own priority.³⁵ It is Jubilees, not Genesis, that

33 See, also, Helge S. Kvanvig, "Jubilees—Read as a Narrative," 75–83, in *Enoch and Qumran Origins: New Light on a Forgotten Connection*, ed. G. Boccaccini (Grand Rapids: Eerdmans, 2005).

34 See, above, n. 31. VanderKam develops the view of Jubilees as "bonus" revelation, Najman as "authoritative interpretation." Note Najman's more recent emphasis on the prophetic role in "Reconsidering Jubilees: Prophecy and Exemplarity," in Boccaccini and Ibba, *Enoch and the Mosaic Torah*, 229–43.

35 John J. Collins, "Changing Scripture," in von Weissenberg et al., *Changes in Scripture*, 34–38, inclines in this direction. Robert A. Kraft, "Scripture and Canon in the Commonly Called Apocrypha and Pseudepigrapha and in the Writings of Josephus," 199–216, in *The Hebrew Bible/Old Testament: The History of its Interpretation*, ed. M. Sæbø (Göttingen: Vandenhoeck & Ruprecht, 1996), volume 1, part 1, assigns priority in Jubilees's conception, like that of Enoch, to the heavenly tablets, not the Pentateuch (see esp. 205–9). Given the number of copies found at Qumran, its claims appear to have been accepted as authoritative by, at least, some. See James C. VanderKam, "Authoritative Literature in the Dead Sea Scrolls," *DSD* 5 (1998): 396–401; Charlotte Hempel, "The Place of the *Book of Jubilees* at Qumran and Beyond," in *The Dead Sea Scrolls in their Historical Context*, ed.

makes a claim for its authority, for its origins at Sinai. Indeed, the “Divisions of the Times” is said to come right from the set of heavenly tablets that detail the history of the world (Jub. 1:29).³⁶ Multiple passages seek to portray the transmission of the work as part of an original, direct address to Moses by the angel of the presence: “Now *you* command the Israelites not to eat any blood . . .” (Jub. 6:12),³⁷ to be distinguished from the less immediate third-person narration of Genesis. Indeed, revelation to Moses fits into a pattern within Jubilees of postulating *pre*-Pentateuchal writings.³⁸ Finally, there is much within the book that can be seen as suggesting greater access to original revelatory content, rather than derivation from a secondary source. It includes material simply not derived from biblical exegesis;³⁹ it furnishes the backstories behind Pentateuchal accounts with details of what really happened, as well as other esoteric information that finds no place in Genesis;⁴⁰ and it contains a mixture of laws corroborated by the Pentateuch and novel positions that are found on heavenly tablets but are only, at best, vaguely hinted at in the Pentateuch itself.⁴¹

The point is not to replace Genesis.⁴² Such a move would undermine Jubilees’s own claims and be an impossibility given the evidence for the dissemination of the Pentateuch in this period. However, its centrality and configuration as

T. H. Lim (Edinburgh: T&T Clark, 2000), 187-96; and Aharon Shemesh, “4Q265 and the Authoritative Status of Jubilees at Qumran,” in Boccaccini and Ibba, *Enoch and the Mosaic Torah*, 247-60.

36 On this theme, see Florentino García Martínez, “The Heavenly Tablets in the Book of Jubilees,” in *Studies in the Book of Jubilees*, ed. M. Albani et al. (Tübingen: Mohr Siebeck, 1997), 243-60; and Najman, “Interpretation as Primordial Writing,” 388-400. On heavenly tablets in general, see Leslie Baynes, *The Heavenly Book Motif in Judeo-Christian Apocalypses, 200 BCE-200 CE* (Leiden: Brill, 2012), esp. 109-34. As Baynes notes, “what was written on the heavenly tablets (and hence in Jubilees) predates the Mosaic Torah” (109).

37 See, also, Jub. 30:11-23 and 33:13-20.

38 See Najman, “Interpretation as Primordial Writing,” 381-88.

39 James C. VanderKam, “Revealed Literature in the Second Temple Period,” in *From Revelation to Canon: Studies in the Hebrew Bible and Second Temple Literature* (Leiden: Brill, 2000), 1-30, esp. 27.

40 For one such backstory as well as the provision in Jubilees of apocalyptic knowledge regarding the history of demons, see Lambert, *Repentance*, 128-32.

41 Thus, compare Jub. 3:10 and 33:10, 12 with Jub. 3:31 and 6:23-29.

42 Cf. Ben Zion Wacholder, “Jubilees as the Super Canon: Torah-admonition versus Torah-commandment,” in *Legal Texts and Legal Issues*, ed. M. Bernstein et al. (Leiden: Brill, 1997), 195-211.

Scripture, indeed, what such a category even entails,⁴³ whether a certain unity or divine authorship, surely remain susceptible to assertion and shaping. To assume otherwise, to see the Pentateuch and the nature of its authority as a pre-established given for Jubilees, masks the full extent of the constructive claims being made here. Jubilees performs significant ideological work in developing Genesis into a basis for apocalyptic and legal positions, an untapped resource for forwarding its particular agenda, an agenda that clearly approaches sectarianism.⁴⁴ In positing its own priority, Jubilees actually gives the canonical account, which must have emanated in some fashion from this more original revelation (see further below), a revelatory basis and a deeper significance. At the same time, Genesis's very proximity to Jubilees, the extent to which it can be seen as alluding to the larger story contained in the "Divisions of the Times," provides a mode of confirming Jubilees's own account. Engaging with a text in a discourse of Scripture, in this case by grounding it in revelation, ends up serving as a mode of introducing what is novel, escapes its boundaries, and supersedes its authority.

Revelation and its Contents

We turn then to the central passage for exploring Jubilees's claims about its origins, the first chapter of the work. In my view, because of existing canonical assumptions, its full implications have not been properly recognized. The passage begins with Moses's ascent to Sinai for the stone tablets "in the third month—on the sixteenth of the month" (Jub. 1:1). It thus locates the present account at the moment in the Exodus narratives after the people have received the Decalogue through public address (Exod 20:1-14) and a series of further regulations—referred to today as the Covenant Code—that Moses is given in the cloud (Exod 20:18), transmits to the people orally, writes down, and brings

43 On the potential to overstate the significance of "Bible" in this period, see Eva Mroczek, "The Hegemony of the Biblical in the Study of Second Temple Literature," *Journal of Ancient Judaism*, forthcoming (my thanks to the author for sharing this piece); Robert A. Kraft, "Para-mania: Beside, Before and Beyond Bible Studies," *JBL* 126 (2007): 5-27; Kraft, "Scripture and Canon," 199-216; Reeves, "Problematizing," 139-52; and Reeves, "Rethinking the Concept of 'Bible': Some Theses and Proposals," *Henoch* 25 (2003): 3-18.

44 John J. Collins ("The Transformation of the Torah in Second Temple Judaism," *JSJ* 43 [2012]: 455-74) thus sees Jubilees as participating in a broader transformation of the Pentateuch as an authoritative document. It is noteworthy that Jubilees is the first to view law as also being inscribed on heavenly tablets (see esp. 470-74). See Kugel, *Jubilees*, 213-17.

to a conclusion with a covenantal blood ceremony (Exod 24:3-8).⁴⁵ Nothing else would have been received at this stage. Now, Moses ascends the mountain again to obtain not only the stone tablets, but actually two different sets of tablets, two different *torot*, each with their own title: 1) “the Two Stone Tablets, the *Torah* and Commandment (התורה והמצוה)” (Jub. prologue, 1:1),⁴⁶ and 2) “the Divisions of the Times, of the *Torah* and Testimony” (מחלקות העתים לתורה) (Jub. prologue, 1:4, 1:26, cf. 1:29),⁴⁷ which are themselves a copy of certain heavenly tablets (Jub. 1:29). The mode of transmission for these two works differs. The former is produced and written by a divine hand (Jub. 1:1), while the latter is dictated by an “angel of the presence” to Moses (Jub. 1:27). Their contents also appear to differ. Based on their titles, the former would seem to contain law, the latter a record of events with some reference to law, and, indeed, it is described repeatedly as a knowledge of past and future.⁴⁸ Finally, their biblical sources differ. The former is identified with the “tablets” in Exod 24:12 that Moses ascends the mountain to receive; the existence of the latter is discerned from the fact that Moses subsequently stays “forty days and forty nights” on the mountain (Exod 24:18). Existing scholarship has not necessarily recognized two key features of this account: the nature of the juxtaposition between these two independent, literary entities, and how, in view of the Scriptural context, they represent a complete itemization of the main revelations at Sinai.⁴⁹ There has also been an anachronistic assumption that the word “*torah*,” as it appears in their titles, may refer to the Pentateuch. In short, as we shall see, there is no reason to assume that this passage or others in Jubilees alludes to or presumes

45 Any analysis of Jubilees, of course, should proceed with the assumption of a unified canonical account. For the chronology at work here, see VanderKam, “Studies on the Prologue,” 273-78. For further aspects of the Scriptural context, see VanderKam, “The Scriptural Setting of the Book of Jubilees,” *DSD* 13 (2006): 61-72. For an overview of the problems the Sinai narratives present for interpretation, especially for determining the content of revelation, see Steven D. Fraade, “Moses and the Commandments: Can Hermeneutics, History, and Rhetoric be Disentangled?” in *Legal Fictions: Studies of Law and Narrative in the Discursive Worlds of Ancient Jewish Sectariness and Sages* (Leiden: Brill, 2011), 477-500, esp. 477-80.

46 Reconstruction based on 4Q216 I 6.

47 Reconstruction based on 4Q216 IV 4. See, also, 4Q216 II 4; 4Q216 IV 4; 4Q216 VII 17; and Isa 8:20. It would also be possible for the prefixed *lamed* to indicate merely a weak form of apposition, “the Divisions of the Times, the *Torah* and Testimony.” (See Bruce K. Waltke and Michael P. O'Connor, *An Introduction to Biblical Hebrew Syntax* [Winona Lake, IN: Eisenbrauns, 1989], 211.)

48 In four separate references: Jub. 1:4, 26, 27-28, 29.

49 As Lim notes, “the book of Jubilees appears to set itself up as the sole Sinaitic revelation” (*Formation*, 133), but he steps away from the implications of that observation in the face of Jub. 6:22. See below.

a revelation of the Pentateuch itself at Sinai. Indeed, when would such a textual transmission have transpired?⁵⁰

Tablets of Stone—"Commandment" Torah

What are the contents of the "Tablets of Stone," according to Jubilees? Neither assuming that they contain the Decalogue,⁵¹ nor that they refer to the Pentateuch as a whole seems justified. For one, Jubilees himself does not make either of these identifications. Their title, "the Two Stone Tablets, the *Torah* and Commandment," based on Exod 24:12, can provide some assistance in this regard. Jubilees had a version of the verse that lacked the conjunctive-*vav* before "*torah*," in line with the Septuagint, rather than the Masoretic Text.

50 The difficulty this question generates can be measured by the variety of answers scholars have provided. Thus, according to Michael Segal ("Between Bible and Rewritten Bible," in *Biblical Interpretation at Qumran*, ed. M. Henze [Grand Rapids: Eerdmans, 2005], 10-28, esp. 21), the revelation of the Torah is accomplished in Exod 19:1-24:11 on the preceding day, the fifteenth of the month. But there is nothing in the referenced chapters or in Jubilees itself to suggest that such an involved event, the revelation of the entire Pentateuch, took place at that time. Cana Werman ("The תורה and תעודה Engraved on the Tablets," *DSD* 9 [2002]: 75-103) maintains that, in Jubilees's account, "the Pentateuch is precisely the 'Torah and the commandment' written by God himself on the tablets and given to Moses at Sinai," (78) in other words, literary entity #1. Kugel (*Jubilees*, 19-20), on the other hand, maintains that *torah* in the first half of both literary entities references the Pentateuch. For further discussion of the term, see Christoph Berner, *Jahre, Jahrwochen, und Jubiläen: Heptadische Geschichtskonzeptionen im antiken Judentum* (Berlin: de Gruyter, 2006), 254-60. All of these positions are united by the assumption, shared with the Rabbis, that the Pentateuch, according to Jubilees, must have been given at Sinai and must be a pre-given within the context of Jubilees.

51 Support against an identification of the stone tablets with the Decalogue would come from the distance in the narrative between the two—they are separated by the covenantal blood ceremony—and their apparent redundancy. Though Exod 34:1 suggests an equivalence between the first (broken) set and second set of tablets, Exod 34:27 clearly indicates that law other than the Decalogue was inscribed upon the second set. Apart from the source critical issues, Exod 24:12 and Exod 31:18 together seem to form an *inclusio* containing the collection of laws, found in Exod 25-31, that detail instructions on the building of the tabernacle and the Sabbath laws. Such a reading is offered in William M. Schniedewind, *How the Bible Became a Book* (Cambridge: Cambridge University Press, 2004), 129-34, and a similar one may be behind Jubilees. See, further, below. That two tablets would be needed for only ten commandments posed an exegetical problem for ancient interpreters. See Kugel, *Traditions*, 640-41, 680. Also, see Kugel for traditions suggesting more than the Ten Commandments were engraved upon the tablets, especially Sibylline Oracles 3:313-319. See, further, Sir 45:5 (MS B). Also, see Ephraim Urbach, *The Sages: Their Concepts and Beliefs* (trans. I. Abrahams; Cambridge: Harvard University Press, 1974), 360-62, and Heschel, *Heavenly Torah*, 542.

Accordingly, “the *torah* and commandment” have to be seen as existing in apposition with “the two stone tablets;” they delineate its contents.⁵² Such language suggests that we are dealing with a unified work, not a series of separate works.⁵³ Its terms, each of which are used separately in Deuteronomy to refer to its own elaborate code of law,⁵⁴ seem, at once, too expansive to be a reference to the Decalogue⁵⁵ and too restricted to law to be a reference to the Pentateuch as a whole.⁵⁶ This impression, that we are dealing with an involved collection of laws, is confirmed by the stipulation that the tablets are being given as a basis on which “to instruct them” (Exod 24:12, Jub. 1:1), a theme that Jubilees picks up when he states that Israel remained in the desert forty years “for learning the Lord’s commandments” (Jub. 50:4).

While the title of the stone tablets provides some indication of their contents, it is their juxtaposition with the “Divisions of the Times” that proves the most illuminating. As mentioned, Jubilees goes out of his way to present the latter, the contents of which will be discussed below, over and against the former, as a record of events. This work too is *torah*, but it is a “testimony” *torah*, a narrative history of the progressive revelation of law, rather than a “commandment” *torah*, an unencumbered formulation of the law itself. This collection of codified law is made by divine hand as opposed to being revealed by an angel. This clear differentiation relates as much to the content of the respective materials and the perceived nature of their production—i.e. law on tables and apocalyptic knowledge as revealed—as to

52 Werman, “תעודה and תורה,” 77–78.

53 Cf. VanderKam, “Studies on the Prologue,” 271; and Kugel, “*Jubilees*,” 20. Both call upon a rabbinic reading to support this approach: “‘Tablets’ refer to the Ten Commandments, ‘*torah*’ to Scripture [i.e. the Pentateuch], ‘the commandment’ to Mishnah, ‘that I have written’ to the Prophets and Writings, ‘to teach them’ to *gemara*, teaching that all of these were given to Moses at Sinai” (b. Ber. 5a). But, there is little reason to push the rabbinic penchant to atomize, supposing each term to have its own separate referent, back on Jubilees.

54 Compare Deut 4:44 (התורה) and 6:1 (המצוה).

55 Brevard Childs, *The Book of Exodus: A Critical, Theological Commentary* (Philadelphia: Westminster, 1974), 499, suggests that the verse underwent a later addition that expanded the apparent contents of the revelation in question.

56 Of course, a broad revelation of, specifically, laws is in keeping with the representation of Sinai in Exodus, Deuteronomy, and post-exilic texts like Neh 9:13–14. The Covenant Code too is written down separately (Exod 24:4), as is, of course, the Deuteronomistic Code (Deut 31:9).

any possible difference in their status.⁵⁷ Now, surely, it is not a coincidence that the Pentateuch itself consists of something very much like narrative and law, which, for the most part, are not fully intertwined but retain a sense of being independent genres. My suggestion, therefore, is that the references to *torah* in each of the titles, rather than referring to *the* Torah of Moses, i.e. the Pentateuch, which would create an odd imbalance in any event—how could *torah* allude to the revelation of the Pentateuch in both works or mean one thing in one but not the other?—refer to different aspects of that work, the component *torah* parts—narrative and law. What are furnished to Moses are the pre-Pentateuchal sources of narrative and law, which begin their literary lives, naturally enough, as two distinct literary entities—apocalypse and legal code—but eventually come together.⁵⁸ Indeed, this distinction in genre figures elsewhere in Jubilees, where we find two different kinds of writing circulating in the patriarchal period, apocalypses and collections of ancestral law.⁵⁹ Most significantly, it seems to be correlated to the phenomenon of the Heavenly Tablets in Jubilees, where there appear to be, at least, two different kinds of tablets, those upon which events are scripted and those that contain divine law.⁶⁰ Jubilees, that is to say, the “Divisions of the Times,” may reveal to us the historical origins of such laws but it presents them as being

57 For the production of law in the Greco-Roman world, see Gary N. Knoppers and Paul B. Harvey Jr., “The Pentateuch in Ancient Mediterranean Context: The Publication of Local Lawcodes,” in *The Pentateuch as Torah: New Models for Understanding Its Promulgation and Authority*, ed. G. N. Knoppers and B. M. Levinson (Winona Lake, IN: Eisenbrauns, 2007), 105–41.

58 A conscious distinction between narrative and law was common, as in *midrash aggada* versus *midrash halaka*. See Steven D. Fraade, “*Nomos* and Narrative Before ‘*Nomos* and Narrative,’” in *Legal Fictions*, 17–34. To use the framework developed by Fraade, while law and narrative are “differentiable” in this period, it is possible to speak of Jubilees’s as integrating them “in the paideic performance of the single master teacher,” (28) i.e. Moses. Jubilees both derives law from narrative and imagines a broader “renarratization” of the law in its final combination with narrative in the “Torah of Moses.” His purposes, though, are not only “paideic” but related to authority. The differing authorizing structures of law and narrative (apocalypse) can be used to support one another. Segal’s source-critical analysis of Jubilees (*The Book of Jubilees*), notably, also works off of this distinction.

59 Compare Jub. 4:18–19 and 32:26 with Jub. 21:10 and 39:6.

60 On the stylistic distinctions between these different kinds of tablets, see Liora Ravid, “The Special Terminology of the Heavenly Tablets,” *Tarbiz* 68 (1999): 463–71 [Hebrew]. On the differing historical origins of their conceptualization and, potentially, sources, see Kugel, *Jubilees*, 213–17; and Shani Tzoref, “Covenant Elections in 4Q252 and *Jubilees*’ Heavenly Tablets,” *DSD* 18 (2011): 74–89. García Martínez, “Heavenly Tablets,” 243–59, also recognizes these distinctions.

formulated on the tablets in apodictic fashion as part of a code shorn of narrative context: “For this reason, it is ordained as a law on the heavenly tablets to tithe a second time” (Jub. 32:10). If that is the case, then Jubilees is claiming to reveal through the “Divisions of the Times” not just a reality prior to Pentateuchal narrative but also, through its allusions to the law written on the Heavenly Tablets, some of which is and some of which is not found in the Pentateuch, a reality prior to Pentateuchal law,⁶¹ one that was perhaps reflected originally on the (now lost) tablets of stone.

Further indication of the stone tablets’ contents comes from what are two apparent references to the “Commandment” *Torah* elsewhere in Jubilees, one in connection to the Festival of Weeks, or “Oaths,” as Jubilees would have it.⁶² The command to observe the holiday and its details are found, as usual, on the Heavenly Tablets: “celebrate it as it is written and inscribed regarding it” (Jub. 6:21). But Jubilees continues: “for I [the angel] have written (this) in the book of the first law in which I wrote for you that you should celebrate it at each of its times one day in a year. I have told you about its sacrifice so that the Israelites may continue to remember and celebrate it throughout their generations during this month—one day each year” (Jub. 6:22). Here, Jubilees seems to be alluding to something along the lines of Num 28:26–31, where the sacrifices appropriate for the Festival of Weeks are discussed. Scholars have assumed, therefore, that the “book of the first law” or, perhaps better, the “first book of law,”⁶³ must be a reference to the Pentateuch, the *Torah* of Moses.⁶⁴ I find it more likely, however, that we have, here, a direct allusion to the “Commandment” *Torah*, which, after all, was written by divine hand, not by Moses, and was the first (and only other) *torah* given to Moses, according to Jubilees, the present work, the “Divisions of the Times,” being the second.⁶⁵ Apparently, to avoid needlessly repeating sacrificial details, the angel

61 Again, attributing laws to the Heavenly Tablets that are known from the Pentateuch helps confirm the validity of those that are not. García Martínez (“Heavenly Tablets,” 243–46 and 255–58) develops a taxonomy of the contents that distinguishes between a supposedly pre-existent *Torah* and new halakhot. This is especially awkward given that the terminology for legal quotation is the same. It is suggestive instead of all law being put together.

62 Kugel, *Jubilees*, 64–65.

63 Ibid., 65.

64 See, further, the discussion of Jub. 30:12, below.

65 Werman, “תעודה ותורה,” 78, recognizes the literary connection to the “Commandment” *Torah* but assumes that it is to be identified with the Pentateuch.

cross-references a passage from the other book in Moses's possession, the "first book of law," as it also reflects the contents of the Heavenly Tablets.⁶⁶

I believe that we may also have a significant reference to the stone tablets at the very end of Jubilees. The last chapter concludes Jubilees's narration of past events by alluding to the divulgence of two last series of laws: "the sabbath days" at the wilderness of Sin (Jub. 50:1),⁶⁷ the last major stop before Sinai, and "the sabbaths of the land the years of jubilees in the sabbaths of the years" at Sinai itself (Jub. 50:2). That this last set is revealed at Sinai, as stipulated in Lev 25:1,⁶⁸ is very important to Jubilees because it provides the background for what is said to ensue there, the introduction of the "Divisions of the Times" itself, as its chronology of world history is necessary for establishing the "sabbaths of the land" (Jub. 50:4). Jubilees then proceeds by bringing the "Divisions of the Times" to what would be its natural, indeed, promised conclusion, as a history of the world, by alluding to the future jubilees and revealing Israel's purification from sin at the end of time (Jub. 50:5). But, he continues on: "I [the angel] have now written for you the sabbath commandments and all the statutes of its laws. You will work for six days . . ." (Jub. 50:6-12). What follows is a detailed exposition of sabbath laws, not *sabbatical* laws, with strong connections to Exod 31:12-17.⁶⁹ On the basis of its lack of continuity with the preceding material, the sense of ending in Jub. 50:5, and the presence of extensive,

66 Jubilees, therefore, only implicitly references Num 28:26-31, which, according to this theory, only preserves, in this case, a record of the more original *torah*. A further example of this may be found in Jub. 33:9-12, where Jubilees refers to the prohibition of "lying with his father's wife" as being written *twice* on the heavenly tablets. He references the heavenly tablets, not the Pentateuch, because they are the originating source of law and the source of the "Commandment" *Torah*, but there is a clear correspondence to the situation in the Pentateuch, as a record of a more original *torah*, where the command does, indeed, appear multiple times (see Lev 20:11 and Deut 27:20). That Jubilees goes out of the way to distinguish between the quoted text from the heavenly tablets, where the angels themselves are said to reply "*amen*," and the passage in Deut 27:20, where the Israelites do so, is particularly noteworthy.

67 Jubilees furnishes an abbreviated notice here because, uncharacteristically, the Pentateuch itself spells out the legal implications of the narrative in question. See Exod 16:22-26.

68 See, also, James C. VanderKam, "The End of the Matter? Jubilees 50:6-13 and the Unity of the Book," in *Heavenly Tablets: Interpretation, Identity and Tradition in Early Judaism*, ed. L. LiDonnici and A. Lieber (Leiden: Brill, 2007), 267-84, esp. 279-80.

69 The death penalty for breaking the Sabbath figures significantly in both Exod 31:14-15 and Jub. 50:8. Furthermore, Jub. 50:10-11 is noteworthy because it introduces the theme of the sanctuary, the laws of which are not generally discussed in Jubilees. Jubilees does so, it would seem, to explain the juxtaposition in Exodus of the sanctuary laws (Exod 25:1-30:37)

apodictic law shorn of its narrative context, atypical for Jubilees, several scholars have suggested that this passage is a later addition to the book.⁷⁰ Indeed, it would appear to be more appropriate to a “commandment” *torah* than a “testimony” *torah*.

It would be useful at this point to pause and recall an aspect of Jubilees's Scriptural context. The “Divisions of the Times” are dictated to Moses during the forty days and nights on the mountain. At the end of that period, in the canonical account, he receives the stone tablets (Exod 31:18) and then descends the mountain to contend with the ramifications of the Golden Calf (Exod 32:1-7). These events should mark the end of the action in Jubilees as well, and, surely, it is no coincidence that Jubilees ends with sabbath laws, which are the laws given precisely prior to Moses's receipt of the tablets (Exod 31:12-17). What I would suggest is that, as the dictation over “the forty days and forty nights” of the “Divisions of the Times” draws to a close, the angel turns his attention to the Tablets of Stone, which he is about to give to Moses, informing him, “I have *now* written for you . . .,” that is to say that, separately, he has completed its composition with the Sabbath laws (Jub. 50:6). He quotes from them (Jub. 50:7-12),⁷¹ and then affirms that these laws are “as it was written in the tablets which he placed in my hands so that I could write for you *the laws of each specific time in every division of the times*” (Jub. 50:13).⁷² Now, scholars have assumed that the allusion here is to the “Divisions of the Times,” but, in truth, the parallel description of its tablets, “the angel of the pres-

with the Sabbath laws (Exod 31:12-17): the operation of the sanctuary is a required exception to the Sabbath laws.

70 Liora Ravid, “The Relationship of the Sabbath Laws in *Jubilees* 50:6-13 to the Rest of the Book,” *Tarbiz* 68 (2000): 161-66 [Hebrew]; Kugel, *Jubilees*, 204. Lutz Doering, “Jub. 50:6-13 als Schlussabschnitt des Jubiläenbuchs—Nachtrag aus Qumran oder ursprünglicher Bestandteil des Werkes?” *RevQ* 20/79 (2002): 359-87, esp. 371, and VanderKam, “End of the Matter?” 278, see Jub. 50:1 as providing the narrative context for the Sabbath laws starting in Jub. 50:6. The problem with this argument, aside from the apparent textual gap between the two passages, is the fact that the revelation in the wilderness of Sin occurred many days and miles back, so to speak, from Sinai, where Jub. 50:2 brings us and Jub. 50:13 would appear to leave us.

71 The passage sounds like an addition, because it is supposed to. It is a quote from another work. Thus, I agree with Doering, “Jub 50:6-13,” 359-87, and VanderKam, “End of the Matter?” 278-80 that this is not a scribal addition, but also affirm the observations made in Ravid and Kugel. The Sabbath would seem to be the “first testimony and law” (Jub. 2:24) on the “Commandment” *Torah* and, also, the last, with additional details revealed at Sinai.

72 The passage also attempts to connect the concluding law in the “Commandment” *Torah* to the last law revealed in the “Testimony” *Torah*. The Sabbath must be observed “in accord with the commandments for the sabbaths of the land” (Jub. 50:13).

ence . . . took the tablets (which told) of *the divisions of the years* . . ." (Jub. 1:29), does not match what is found here.⁷³ Jubilees does not present that work as a collection of laws and certainly not a total revelation of the law.⁷⁴ That is the task of the Tablets of Stone, which, unlike the "Divisions of the Times," are written by divine hand.⁷⁵ Actually, Jubilees, here, seems to reflect the very language of the Exodus passage in which Moses receives "the two tablets of the Pact (העדות), stone tablets inscribed with the finger of God" (Exod 31:18), when it is recognized that our author probably understood the term, עדות, not in the singular, as in the common vocalization, but in the plural, as "laws." Indeed, in the book of Deuteronomy and elsewhere, this term appears parallel to other terms for "laws,"⁷⁶ furnishing a basis for the identification of the Tablets of Stone that Moses ascends the mountain to receive, the "*Torah* and Commandment," in Exod 24:12 and at the opening of Jubilees, with those that he receives in Exod 31:18 and at the close of Jubilees.⁷⁷ Furthermore, Jubilees appears to be operating with an understanding of the term, עדות, as "*laws of each specific time*," in line with his understanding of "testimony" (תעודה), which is from the same root and will be explored further below, as law that is bound up and revealed in a particular epoch. So, the Tablets of Stone, "the tablets of עדות," would contain, according to Jubilees, an idealized, complete restatement of all law from all time periods as contained on the heavenly tablets—an open-ended construal that allows Jubilees to further his fundamental claim that there are laws forgotten by the rest of Israel that can only be reconstructed on the basis of the "Division of the Days."⁷⁸

73 The passages are parallel only in so far as it is the purpose of each to indicate that a different *torah* is based on heavenly tablets.

74 E.g. it lacks the laws related to the building of the tabernacle (Exod 25:1-30:37) that proceed the Sabbath laws and, most likely, would have been found in the "Commandment" *Torah*.

75 For the angel of the presence in Jubilees standing in for God and, thereby, also constituting the "divine," see VanderKam, "The Angel of the Presence in the Book of Jubilees," *DSD* 7 (2000): 378-93.

76 Deut 4:45, 6:17, and 6:20. Also, see, for instance, Jer 44:23 and, especially, its use in Ps 119.

77 See, also, Najman, "Interpretation as Primordial Writing," 397. Jubilees, thereby, bridges a divergence in language between Exod 24:12 and Exod 31:18, which originates, in part, in a source critical difference—E versus P. See, above, n. 51 and 55.

78 Is there a possible implication to the fact that, in terms of its Scriptural setting, Jubilees ends, rather abruptly, right before the sin of the Golden Calf? Indeed, the Golden Calf figures rather large in Jubilees, especially in the first chapter, where Moses is told that Israel will sin but is kept in the dark about what is about to happen (Jub. 1:15-25). See, further, Segal's discussion, "Prayer of Moses," in *Jubilees*, 247-56. Also, note the passage

Divisions of the Times—“Testimony” Torah

Several features of the “Divisions of the Times” have been discussed in the preceding sections. It emerges in the first chapter of Jubilees as a revealed record of events, past and future, based on the heavenly tablets, an apocalypse that, along with the “Tablets of Stone,” forms the basic components of the Sinaitic revelation. Much of this can be seen in the full title with which Jubilees begins: “These are the words regarding the divisions of the times of [or: for] *torah* and testimony, of the events of the years, of the weeks of their jubilees throughout all the years of eternity” (Jub. prologue), and the abbreviated form as it appears in the *Damascus Document*, “the book of the divisions of the times according to their jubilees and weeks (of years)” (CD 16:3-4).⁷⁹ Indeed, the chronological framework of the rest of Jubilees, with its careful dating of biblical events according to jubilee, week (of years), and year confirms this self-representation, the description of its genre as that of a record of events.⁸⁰ The existence of this sort of apocalyptic work also has good precedent within Jubilees itself. Enoch too receives a vision of “what has happened and what will occur,” which he writes down (Jub. 4:19), and Jacob writes down “what would happen to him and his sons throughout all ages,” which he learns of from seven heavenly tablets brought to him by an angel (Jub. 32:21-24). In all of these cases, as with the “Divisions of the Times,” “now you write this entire message . . .” (Jub. 1:7),

in Pseudo-Philo 19:7: “After this it [the land] will be given over to the hands of their enemies . . . and it will be on the same day that you smashed the tablets of the covenant which I established with you on Horeb; and when they sinned, what was written on them flew away.” The point may be that the original revelation was curtailed or lost, resulting in an incomplete law that led people into sin. See, further, Didascalia Apostolorum 2:26.

79 Against the consensus, Deborah Dimant maintains that the *Damascus Document* could very well refer to another (lost) chronological history divided into jubilees, other instances of which are found at Qumran. See “Two ‘Scientific’ Fictions: The So-called *Book of Noah* and the Alleged Quotation of *Jubilees* in CD 16:3-4,” in *Studies in the Hebrew Bible, Septuagint, and Qumran Presented to Eugene Ulrich*, ed. P. W. Flint et al. (Leiden: Brill, 2006), 230-49, esp. 242-48. Either way, the language describes an apocalyptic work that breaks the history of the world into “times.”

80 For a subtle sense of the ways in which Jubilees can be considered an apocalypse, see John J. Collins, “The Genre of the Book of *Jubilees*,” in *A Teacher for All Generations: Essays in Honor of James C. VanderKam: Volume Two*, ed. E. F. Mason et al. (Leiden: Brill, 2012), 737-55. Note, in particular, his critique (751-54) of Todd R. Hanneken’s dissertation, published as *The Subversion of the Apocalypses in the Book of Jubilees* (Leiden: Brill, 2012). See, further, Martha Himmelfarb, “Torah, Testimony, and Heavenly Tablets: The Claim to Authority of the Book of *Jubilees*,” in *A Multiform Heritage: Studies on Early Judaism and Christianity in Honor of Robert A. Kraft*, ed. B. G. Wright (Atlanta: Scholars Press, 1999), 19-29, esp. 21-25; Baynes, *Heavenly Book*, 109-34; and Werman, “תעודה and תורה,” 81-84.

there is an emphasis on the textuality of apocalypse, the necessity of writing down revealed events "just as you have seen and read" (Jub. 32:24), an aspect of the genre that further positions it as a basis, in Jubilees's view, for understanding the textuality of biblical narrative, the significance of written stories about the past.

One complication in this account of the "Divisions of the Times" as apocalypse is the incompleteness of its information about the future.⁸¹ First of all, it must be pointed out that this is only a relative lack. For Moses, standing at Sinai, to possess, already, knowledge of Israel's eventual sin, exile, and deliverance from error, as is disclosed to him in the first chapter, is no small matter and, indeed, encapsulates the essential points of Israel's history. Such information is also anticipated by the angel elsewhere and presented as basic to the purpose of the "Divisions of the Times," at least in its heavenly version, as in the apocalypse found in Jub. 23:15-32 and in the following passage: "For I [the angel] know and from now on will inform you—not from my own mind because this is the way the book is written in front of me, and the divisions of times are ordained on the heavenly tablets..." (Jub. 6:35).⁸² However, the broader point, here, is that Jubilees is not a freely written composition. Its very claims about itself, as an original source for Sinaitic revelation, require that it be confined to the actual contours of the only generally accepted text it has to work with, the Pentateuch. Thus, in the first chapter, it is especially careful to highlight, by telling us the backstory of their original revelation at Sinai, those elements in the book of Deuteronomy that can be seen as reflecting apocalyptic knowledge (Jub. 1:7-1:25).⁸³ But, the work as a whole cannot be said to be, strictly speaking, an apocalypse. Rather, in discursive fashion, Jubilees lays claim, especially through its association with the heavenly tablets, to the form of apocalypse in order to assume for itself and, by extension, Pentateuchal narrative the authoritative structure that surrounds apocalyptic revelation.⁸⁴

Another complication arises from the second phrase in the "Divisions of the Times" title, "of/for *torah* and testimony." Is *torah* a reference to the Pentateuch, and does this designation indicate a conceptualization of the "Divisions of the

81 See the resulting suggestions in Kugel, *Jubilees*, 27; and Armin Lange, "From Literature to Scripture: The Unity and Plurality of the Hebrew Scriptures in Light of the Qumran Library," in Helmer and Landmesser, *One Scripture or Many?* 51-107, esp. 104-5.

82 See further allusions in Jub. 4:26, 15:33, 50:5. See, also, the collected passages in García Martínez, "Heavenly Tablets," 246-50.

83 Lambert, *Repentance*, 123-26.

84 See above (n. 78) for the possibility that Jub. 50:5 was, indeed, an abrupt ending to the "Divisions of the Times."

Times" as a book of law? The phrase comes from Isa 8:16, 20 in a context that suggests the discernment of the future. The terms appear to be parallel there, as they frequently are in Jubilees, suggesting that the phrase should be understood as a hendiadys, not a reference to two separate entities, i.e. a Pentateuch and some other collection.⁸⁵ Furthermore, in Deut 31:16-21, God commands Moses to write down a "song," which appears to be associated with *torah* as well (Deut 31:24-26), containing a prediction of Israel's future sin and punishment that is very closely related to Jubilees's own.⁸⁶ It is said to serve as a "witness" (עֵד) against Israel, a term that is directly related to that of "testimony" (תְּעוּדָה) and from which it appears to derive its meaning. Prediction seems to be a form of indictment, a notion that appears throughout Jubilees and is directly related to his concept of apocalypse.⁸⁷ Thus, for instance, after seeing in a vision "what has happened and what will occur," Enoch "wrote a testimony for himself and placed it upon the earth against all mankind and for their history" (Jub. 4:19). However, "testimony" also appears in Jubilees in close conjunction with *torah* in the sense of "law," clearly not as a reference to the Pentateuch: "these are the law and testimony that were written for Israel to keep for all times" (Jub. 3:14). Indeed, such a legal designation for the "Divisions of the Times" would make sense; Jubilees can be seen as a record of the events surrounding the revelation of the law. More to the point, תְּעוּדָה, even here, may preserve its ordinary sense of "testimony." Events generate law and testify against anyone who would break it in the future. Thus, for those who would intermarry, the angel instructs Moses: "Proclaim this testimony to Israel: 'See how it turned out for the Shechemites and their children . . .'" (Jub. 30:17). The very

85 Segal, *Jubilees*, 288-89.

86 As God never speaks to Moses on the plains of Moab, Jubilees seems to see this passage as transpiring at Sinai and as a basis for his own work. Note how Jub. 1:8 (see 4Q216 11, 4) replaces the term "song" in Deut 31:21 with Jubilees's own designation, "testimony," on which see George J. Brooke, "Exegetical Strategies in *Jubilees* 1-2: New Light from 4QJubilees^a," in Albani et al., *Studies in the Book of Jubilees*, 39-58, esp. 43.

87 The term seems to combine an apocalyptic and legal use, which, I believe is reflected in James L. Kugel, "Biblical Apocrypha and Pseudepigrapha and the Hebrew of the Second Temple Period," in *Diggers at the Well*, ed. T. Muraoka and J. F. Elwolde (Leiden: Brill, 2000), 166-77, esp. 168-170. Most treatments focus on one aspect or the other. For the apocalyptic, see Cana Werman, "Te'udah: On the Meaning of the Term," in *Fifty Years of Dead Sea Scrolls Research: Studies in Memory of Jacob Licht*, ed. G. Brin and B. Nitzan (Jerusalem: Yad Ben-Zvi, 2001), 231-43; Himmelfarb, "Torah, Testimony," 19-25; and Brooke, "*Jubilees* 1-2," 52. For law, see Menahem Kister, "Two Formulae in the Book of Jubilees," *Tarbiz* 70 (2001): 289-300, esp. 294-95 [Hebrew]; and Segal, *The Book of Jubilees*, 273-316. The latter specifies a sense of "covenant," which I find out of context.

apocalypticism of Jubilees allows him to see in the events of the patriarchal narratives a correspondence to a higher law and a condemnation of Israel for its future sin.

A final key component of the representation of the "Divisions of the Times" as an apocalypse, a revealed record of events, concerns its mode of transmission, i.e. dictation by an angel to Moses, as opposed to apodictic law, which is written by the angel himself. Preserving this distinction, it turns out, has been a difficulty for ancient translators and modern scholars alike in view of their common canonical assumptions about the Pentateuch's divine authorship. Throughout the first chapter and multiple passages in the rest of Jubilees, Moses is commanded to write down the contents of the "Divisions of the Times." However, in the translation tradition preserved in the Ethiopic, the angel is told in one passage to "write for Moses (starting) from the beginning of the creation until the time when my temple is built . . ." (Jub. 1:27). Based on a fragment of Jubilees found among the scrolls (4Q 216 IV 6), it is now evident that the original Hebrew contained a causative (*hiphil*) form, לִהְיוֹת, of the verb for "write," suggesting, instead, the translation "dictate," thus bringing this passage in line with the others.⁸⁸ What is noteworthy here is the predilection of the translator, when possible, to envision the angel's actions as one of inscribing, rather than dictating, holy writ. Some have suggested that the same emendation be made to the passage at the end of Jubilees, where the angel alludes to his writing "sabbath commandments" (Jub. 50:6), as well as "laws of each specific time" (Jub. 50:13).⁸⁹ But, as discussed above, there is good reason to understand the angel as referring there to a different composition, the Tablets of Stone, which the verse underlying the passage, Exod 31:18, clearly underscores, were written by divine hand.⁹⁰

It is, therefore, a matter of some interest that scholars do not suggest a similar emendation in another passage where writing is ascribed to the angel: "For this reason I have written for you in the words of the law everything that the Shechemites did to Dinah and how Jacob's sons said: 'We will not give our daughter to a man who has a foreskin because for us that would be a disgraceful thing'" (Jub. 30:12). The passage is understood to refer explicitly to Gen 34:14 and, by extension, to presume the existence of a separate, otherwise unattested work containing narrative and written by the angel, the Pentateuch. In fact,

88 The proper version of Jub. 1:27 was anticipated by James C. VanderKam, "The Putative Author of the Book of Jubilees," *JSS* 26 (1981): 209-17.

89 *Ibid.*, 215-16.

90 It is possible that a misunderstanding of this passage as a reference to Jubilees itself justified the translation of 1:27.

throughout the rest of the work, Jubilees goes through all manner of difficulty to avoid even the semblance of quoting from the Pentateuch. Modern scholarship has used this passage as a basis upon which to reassert a traditional understanding of Jubilees's proposed relationship to the canon,⁹¹ but, in fact, there is no good reason not to suppose that here too the original Hebrew would have employed the *hiphil* form. In his preceding words (Jub. 30:1-4), indeed, the angel does *dictate* to Moses "everything that the Shechemites did to Dinah" as well as the brothers' response.⁹² He does so, as the preceding verse stipulates, so that Moses might "order the Israelites and testify to them that they are not to give any of their daughters to foreigners . . ." (Jub. 30:11).⁹³ This gets to the heart of the very purpose of the "Divisions of the Times," something that the angel highlights by referencing it explicitly. It is the teaching text that was given to Moses at Sinai for use in the desert, with its incessant connection of events and law, to produce testimony for Israel. Most significantly, after introducing considerably more legal material and further exhortations to Moses, the passage contains a reiteration regarding the matter of transmission: "I [the angel] have written [read: have dictated] *this entire message* and have ordered you to tell the Israelites not to sin . . ." (Jub. 30:21). Surely, not all the material found here, "this entire message," is contained in the Pentateuch or any supposed work written by the angel; it is a reference to Jubilees itself.⁹⁴ As for the supposed quote from Genesis, in the context of the passage, it could very well serve as a sort of summary of the principle behind the actions of the brothers as previously described to Moses by the angel. Indeed, there is one noteworthy difference with the verse; the Jubilees's passage speaks of "our daughter," rather than "our sister," formulating the matter as a general legal principle, more

91 The passage and the one discussed above, Jub. 6:22, are referenced repeatedly as they form the only apparent proof (against the evidence of the rest of Jubilees) for the canonical view. See, for instance, VanderKam, "Moses Trumping Moses," 35-37; Najman, *Seconding Sinai*, 47-48; and Segal, "Between Bible and Rewritten Bible," 26.

92 Whereas, with regard to Jub. 50:6, the angel has not previously dictated the material in question to Moses, but the suggestion *is* made to emend the text to be read as dictation.

93 Indeed, there would be no need for him to do so if there was already a Pentateuch that taught this lesson.

94 VanderKam, "Moses Trumping Moses," 37, recognizes the difficulty in Jub. 30:21 and would have us emend it but not Jub. 30:12. It is likely that the translator altered both because, like contemporary scholars, he assumed the passage alludes to the canonical account. The similar hortatory material in Jub. 33:13-20 is presented with a command to Moses to write (Jub. 33:18).

appropriate, say, to the heavenly tablets.⁹⁵ It seems anachronistic and out of place within the context of the work to understand "the *torah*" in this passage as a reference to the Pentateuch when the "Divisions of the Times" itself is the *torah* whose contents and transmission is at the fore of the book's concerns.⁹⁶

From Rewritten to Prewritten Bible

Jubilees does not tell us explicitly how the Torah of *Moses* originated. But that is precisely the point. The work preserves its literary pretense and avoids any specific reference to the Pentateuch. However, it does tell us where what appear to be its basic components come from, how laws, like its laws, were authorized—transmission on tablets of stone—and events, like its events, were revealed—angelic dictation of heavenly tablets. These divine *torot*—the "Commandment" *Torah* and the "Testimony" *Torah*—would have been used as a basis for instruction by Moses in the desert⁹⁷ and eventually combined by Moses into a third *torah*, the Torah of *Moses*.⁹⁸ Presumably, Moses would

95 Note also the tradition detailed in Kugel, *Traditions*, 411-12. If this principle was known, that would justify the brothers' seemingly *ad hoc* killing. VanderKam, "Moses Trumping Moses," 36, acknowledges the difficulty the use of "daughter" poses for the theory that he is quoting from Genesis and suggests that other verses may be causing interference (n.18).

96 Cf. references in the Temple Scroll to itself as "this torah," e.g. 11QT^a 59:7-10, on which see Najman, *Seconding Sinai*, 50-53. Note that Jub. 6:22 refers to the "Commandment" *Torah* as the "first law," clearly establishing the possibility of Jubilees referring to the "Testimony" *Torah* as a (second) "law."

97 See Jub. 50:4, and note how the angel throughout Jubilees turns directly to Moses and tells him how to instruct Israel during his lifetime, "Now you, Moses, order the Israelites . . ." (Jub. 49:22). As an esoteric text given to Moses for the purpose of teaching in the desert, the "Division of the Times" could have been set aside and only "rediscovered" later. Cf. 2 Kgs 22 and CD 5:2.

98 VanderKam, "The Angel," 381, concludes that the angel of the presence wrote the Pentateuch. But, in what sense then can it be seen as the "Torah of Moses?" Compilation, as a component of transmission, would have been seen as basic to what scribes do. As Eva Mroczek writes, regarding David and Moses: "For the second temple period, they are not 'authors,' but scribal channels of tradition who collect, arrange and transmit revelation . . ." ("Moses, David and Scribal Revelation: Preservation and Renewal in Second Temple Jewish Textual Traditions," in Brooke et al., *Significance of Sinai*, 93-94 [91-115]). Indeed, Jubilees itself might have undergone such a process. (See, in particular, Eibert J. C. Tigchelaar, "The Qumran *Jubilees* Manuscripts as Evidence for the Literary Growth of the Book," *RevQ* 26/104 [2014]: 579-94, as well as the first two works mentioned in n. 6.) See, also, the broad observations on the nature of "authorship" in antiquity in van der Toorn,

have performed this task prior to his death, as a way of preserving his instruction, perhaps when he writes “the words of this *torah* until their completion (עד תמם)” (Deut 31:24).⁹⁹ This position makes eminent sense, in fact, makes considerably more sense, to the casual observer, than a theory of Sinaitic revelation for the Pentateuch, which, after all, makes no such claim for itself and incorporates the events of the subsequent forty years in the wilderness.¹⁰⁰ The main point is that the theory of textual revelation, divine authorship and word for word transmission, need not be seen as a naturalized component of Scripture or, historically, as pertaining, necessarily, to the Torah of Moses at this early date.¹⁰¹ In fact, with Jubilees, we have come, quite possibly, face to face with the specific series of discursive concerns by which such a view first begins to make sense. Jubilees takes the mode of authorization—revelation of heavenly stuff to an ancient scribe—most pertinent to apocalyptic literature, which, hitherto, had shown little apparent interest in the Torah of Moses, and applies it to the Pentateuch, in which he shows great interest, transforming the work itself into an apocalypse and, simultaneously, extending its legal function to incorporate what came to be sectarian legal positions. Given the nature of the Pentateuch itself, such a transformation would seem difficult. Jubilees accomplishes his task by positing a prior series of works that served as Moses’s sources, thereby removing the need for the Pentateuch to denote these positions but only to allude back to them. Thus, Jubilees both develops the theory

Scribal Culture, 27-49. From a slightly different perspective, according to Menahem Haran, as explored in his four volumes, *The Biblical Collection* (Jerusalem: The Bialik Institute, 1996-2014) [Hebrew], “compilation” (*hibbur*), i.e. collecting earlier sources, is the basis of the canonical process. See the review (and overview) of Baruch J. Schwartz, “‘The Book of Law’ and the Beginning of the Canonization of the Bible,” *Shenaton le-Heqer ha-Miqra’ ve-ha-Mizraḥ ha-Qadum* 16 (2006): 269-80, esp. 269-70 [Hebrew].

99 Indeed, in Jubilees, the patriarchs regularly collect and proclaim the commandments revealed during their lifetimes in last testaments. See David Lambert, “Last Testaments in the Book of Jubilees,” *DSD* 11 (2004): 82-107. Note also the process of textual production that occurs at the end of Ezra’s lifetime in 4 Ezra 14. See, further, T. Mos. 1:16-17. The testament is given to Joshua at the end of Moses’s life as a precursor to other books, presumably, the Pentateuch, that he will give him to deposit.

100 The other works alluded to in Num 21:14 and Num 33:1-2 could be seen as records of these travels that could have been used as sources for Moses’s final composition.

101 Writers such as Philo and Josephus, of course, are quite prepared to see Moses as the human author of a text that, without a doubt, they still treat in the manner of Scripture. See Hindy Najman, “The Law of Nature and the Authority of Mosaic Law,” in *Past Renewals*, 73-86; and Zuleika Rodgers, “Josephus’ ‘Theokratia’ and Mosaic Discourse: The Actualization of the Revelation at Sinai,” in Brooke et al., *Significance of Sinai*, 129-48.

of Pentateuchal authority and furnishes a significant limitation to it,¹⁰² but there is little reason to suppose that it would have exercised any greater degree of absolute authority at this point. Indeed, the position of the Torah of Moses as both authoritative and, at the same time, limited is basic to Qumran.¹⁰³ In short, Jubilees goes a long way toward bringing the Pentateuch or, at least, its sources to Sinai in the form of revelation, but it does not yet seem to reflect the later view of Pentateuchal origins,¹⁰⁴ which, ironically, by extending the inherited idea of the Pentateuch's basis in revelation to the level of the text itself eventually pushes out the very possibility for a composition such as Jubilees.¹⁰⁵

Are there possible implications for the other pseudepigraphic texts that populate the world of literature generally referred to as "Rewritten Bible?"¹⁰⁶

102 As Reed writes, "Jubilees' epistemology centers on a view of heaven as the ultimate source for all true knowledge" ("Enoch and Mosaic Traditions," 363). That places Jubilees within a wide-ranging form of idealism that betrays traces of what is generally labeled as Platonism. Platonism, in any event, provides a helpful model for understanding the relationship between the Pentateuch, "Commandment" and "Testimony" *Torot*, and Heavenly Tablets as one of *emanation*. The Torah of Moses may be an attenuated, decidedly human affair, mixed in content and, ultimately, incomplete, but it is a reflection of works that are themselves divinely-authorized copies of the heavenly tablets that are the truest, most essential repository of the world's hardwiring, divine law and events. Cf. Philo's theory of the Law of Moses as a copy of a copy. On this, see Najman, "The Law of Nature," 73-86, and "A Written Copy of the Law of Nature: An Unthinkable Paradox?" in *Past Renewals*, 107-20. On Jubilees and Hellenism, see Cana Werman, "Jubilees in the Hellenistic Context," in LiDonnici and Lieber, *Heavenly Tablets*, 133-58, esp. 152-56. See Wright, "Jubilees, Sirach" 122-25, for the sense in which the sage in Ben Sira has direct access to the very source of Torah, namely, Wisdom, and, therefore, is in a position to render its meaning.

103 See, for instance, George J. Brooke, "Moving Mountains: From Sinai to Jerusalem," in Brooke et al., *Significance of Sinai*, 73-89, esp. 83-84. The public position of the "Torah of Moses" allows sectarians to use it as an authoritative source for reflection on sectarian practice and, at the same time, claim that it has led non-sectarians astray.

104 The earliest instance of this view may be in the first-century apocalypse, 4 Ezra (14:3-6, see, also, 14:46-47), though, here too, the distinction between the Pentateuch as a public work and other secret works, which are also revealed to Moses at Sinai, is preserved.

105 The rabbinic view articulated above can be said to inherit and function in some measure within the structure that results from the apocalyptic construction of the "Torah of Moses" as revelation, even as it does not participate in the logic that generates it and ends up effacing it.

106 Recent studies include Molly Zahn, "Genre and Rewritten Scripture: A Reassessment," *JBL* 131 (2012): 271-88; George Brooke, "Genre Theory, Rewritten Bible and Peshet," *DSD* 17 (2010): 361-86; Moshe J. Bernstein, "'Rewritten Bible': A Generic Category which has Outlived its Usefulness?" *Textus* 22 (2005): 169-96; Sidnie White Crawford, *Rewriting Scripture in Second Temple Times* (Grand Rapids: Eerdmans, 2008); and Daniel K. Falk, *The*

That they include interpretive material is hardly sufficient reason to assume that, in their own conceptualization,¹⁰⁷ they are forms of interpretation.¹⁰⁸ (On this, see, further, below.) A straightforward approach to their self-representation demands that we recognize them as claiming, in many instances, temporal priority to the canonical accounts.¹⁰⁹ Thus, for instance, many texts choose to locate their origins in events of revelation to ancient biblical figures that lived before Moses, steadfastly refuse to refer to the Pentateuch as a source, and include expansive details that go well beyond its storyline.¹¹⁰ Much of this is often framed as an attempt to participate in the authoritative discourse of Scripture itself, to establish a certain simultaneity in time and status between the known biblical accounts and their rewritings, “literally inscribing them back into Mosaic Torah,”¹¹¹ but, in certain respects, “Rewritten Bible” texts actually go out of their way to differentiate themselves from the biblical,¹¹² often through the very claim of priority, that they are not “Rewritten,” but “Prewritten” Bible. If anything, in the pseudepigraphic imagination, such works

Parabiblical Texts: Strategies for Extending the Scripture in the Dead Sea Scrolls (London: T&T Clark, 2007).

- 107 On the importance of distinguishing between “Rewritten Bible” as an etic, rather than emic, category, see Anders K. Petersen, “Rewritten Bible as a Borderline Phenomenon—Genre, Textual Strategy, or Canonical Anachronism?” in *Flores Florentino: Dead Sea Scrolls and Other Early Jewish Studies in Honour of Florentino García Martínez*, ed. A. Hilhorst et al. (Leiden: Brill, 2007), 285–306. As Martin S. Jaffee, *Torah in the Mouth: Writing and Oral Tradition in Palestinian Judaism, 200 BCE–400 CE* (New York: Oxford, 2001), points out with regard to orality, orality can be a fact without there being an “ideological self-consciousness” (9) of it.
- 108 For a forceful reiteration of the common view, see Andrew Teeter, “The Hebrew Bible and/ as Second Temple Literature: Methodological Reflections,” *DSD* 20 (2013): 349–77.
- 109 Note, for instance, the qualified observation of George J. Brooke: “In one sense the reworking of scripture is presented as prior to scripture itself and, therefore, as of great or even greater authority” (“Between Authority and Canon: The Significance of Reworking the Bible for Understanding the Canonical Process,” in *Reworking the Bible: Apocryphal and Related Texts at Qumran*, ed. E. G. Chazon et al. [Leiden: Brill, 2005], 85–104, esp. 98). Also, quite pertinent here is the work of Bernard M. Levinson, *Deuteronomy and the Hermeneutics of Legal Innovation* (New York: Oxford University Press, 1997), esp. 144–57.
- 110 Even a work such as the Testaments of the Twelve Patriarchs with its frequent references to the “Law” avoids mentioning Moses and seems to have an idealized notion of *Torah* as a system of ethical, religious teachings that is transmitted by the patriarchs and goes beyond any fixed corpus of texts.
- 111 Najman, “Torah of Moses,” 213. Najman’s work has been particularly influential in moving us beyond the earlier consensus view of treating pseudepigraphy as pious fraud.
- 112 See Segal, “Between Bible and Rewritten Bible,” 10–28.

are configured as sources for the canonical works, not the other way around.¹¹³ Thus, for instance, I have shown elsewhere that Jubilees claims to preserve in Jub. 1:15-25 the original Sinaitic revelation of and story behind the somewhat redundant and contradictory passages that appear later as part of Moses's discourse on the plains of Moab in Deut 4:28-32 and 30:1-10.¹¹⁴ In a similar vein, it has been shown that Jubilees 23 presents itself as the *source* for Moses's composition of Psalm 90.¹¹⁵ The most obvious instantiation of the phenomenon

113 Note, for instance, this medieval reflection on the pseudepigrapha as sources for Moses's *torah*:

"In the days of Moses our Master, there existed books in which were written the events of times gone by, from the first generations, all the way back to Adam, as we find in the Aggadah. The Book of Adam had written in it the Works of Creation . . . Adam passed it on to Seth, who passed it on to Methuselah, who passed it on to Noah, and so on through Shem, Eber, Isaac, and Jacob, who finally passed it on to Joseph and his brothers. Even in Egypt, our ancestors continued to study the traditions. When Moses wrote the commandments, he saw fit to write about how Israel received the Torah. In order to explain the events of his own time, he described the whole chain of circumstances by which the Israelites came down to Egypt, starting with the first patriarchal narratives. He looked at the books and wrote the events from the beginning according to their account. He was inspired to do this by the Holy Spirit." (Adolf Neubauer, *Seder Ha-hakhamim ve-korat ha-yamim* (Oxford, 1887), 1:163)

Jubilees itself depicts a process whereby ancestral works would have been transmitted to Moses (Jub. 45:16). Indeed, some aspects of Rewritten Bible may be explained by the fact that writers genuinely believed themselves to be in possession of earlier traditions. See Philip S. Alexander, "Retelling the Old Testament," in *It Is Written: Scripture Citing Scripture: Essays in Honour of Barnabas Lindars*, ed. D. A. Carson and H. G. M. Williamson (Cambridge: Cambridge University Press, 1988), 99-121, at 101. Also, see discussion of scribal transmission as source of authorization in Benjamin G. Wright III, "Jubilees, Sirach, and Sapiential Tradition," in Boccaccini and Ibba, *Enoch and the Mosaic Torah*, 116-30, esp. 126-29; and Annette Yoshiko Reed, "The Modern Invention of 'Old Testament Pseudepigrapha,'" *JTS* 60 (2009): 403-36, for the background of the modern move to treat these materials as fabrications. Some have suggested that the framework for Jubilees, studied above, is itself a later addition. (See nn. 6 and 98.) If so, that only reinforces the argument forwarded here. A later editor viewed and laid claim to an earlier piece of rewritten bible as, in fact, the original revelation given to Moses at Sinai. See also the addition to the Life of Adam and Even found in Ap. Mos. 1:1, which introduces this Genesis-related narrative information as revealed to Moses when he ascended Sinai to receive the Tablets.

114 Lambert, *Repentance*, 123-26. See, also, David Lambert, "Did Israel Believe that Redemption Awaited its Repentance? The Case of *Jubilees* 1," *CBQ* 68 (2006): 631-50.

115 James L. Kugel, "The Jubilees' Apocalypse," *DSD* 1 (1994): 322-37. A similar relationship has been shown to pertain between Ps 137 and Jeremiah's letter in 4 Baruch in Kugel,

may be the oft-discussed case of the Temple Scroll. It covers much of the same material as the book of Deuteronomy but appears to be God's direct address to Moses at Sinai, laws that "I [God] relate to you [Moses] on this mountain [Sinai]" (11Q 51:7), which Moses would have then conveyed to Israel prior to his death on the plains of Moab in the form of Deuteronomy.¹¹⁶ So too, the frequent use of the more intimate first person voice by various patriarchs in the Genesis Apocryphon and elsewhere may very well suggest that this rewrite of Genesis is in fact meant to be understood as one of its sources, a more expansive, immediate telling of events.¹¹⁷ Positing what comes before creates an excellent opening for expansion. In so doing, it also redefines the very image of the canonical account that follows. In this scheme, the biblical text is not replaced, but, rather, just the opposite, its bases in the past are revealed.¹¹⁸

What is Interpretation?

One last matter remains. Works like Jubilees, the Temple Scroll, and the Genesis Apocryphon may contain matters that go beyond the canonical text, but they also contain innumerable instances of what we might call close "readings" of

In Potiphar's House: The Interpretive Life of Biblical Texts (Cambridge: Harvard University Press, 1990), 189-95.

- 116 For the priority of the Temple Scroll, see Molly Zahn, "New Voices, Ancient Words: The Temple Scroll's Reuse of the Bible," in *Temple and Worship in Biblical Israel*, ed. J. Day [New York: T&T Clark, 2005], 435-58; and Bernard M. Levinson and Molly Zahn, "Revelation Regained: The Hermeneutics of כִּי and כִּי־נֶאֱמַר in the Temple Scroll," in Bernard M. Levinson, *A More Perfect Torah: At the Intersection of Philology and Hermeneutics in Deuteronomy and the Temple Scroll* (Winona Lake, IN: Eisenbrauns, 2013), 14-17. For a review of existing theories, see Lawrence H. Schiffman, "The Temple Scroll and the Halakhic Pseudepigrapha of the Second Temple Period," in Chazon and Stone, *Pseudepigraphic Perspectives*, 121-31; and James C. VanderKam, "Questions of Canon Viewed through the Dead Sea Scrolls," in McDonald and Sanders, *Canon Debate*, 91-109, esp. 103-4.
- 117 On this material, see Loren T. Stuckenbruck, "Pseudepigraphy and First Person Discourse in the Dead Sea Documents: From the Aramaic Texts to Writings of the YAHAD," in Roitman, *Dead Sea Scrolls*, 295-326; and Eibert Tigchelaar, "Aramaic Texts from Qumran and the Authoritativeness of Hebrew Scriptures: Preliminary Observations," in *Authoritative Scriptures in Ancient Judaism*, ed. M. Popović (Leiden: Brill, 2010), 155-71.
- 118 See Brooke, "Between Authority and Canon," 98, for the more explicit use of the divine voice in rewriting indicating growth in the status of the canonical text, rather than a challenge to it. Also, see Reed, "Pseudepigraphy," 467-90, for the sense of interest in pseudepigrapha as part of broader engagement with the past that lifts and defines "The Bible" as well.

biblical texts. With respect to this aspect of their production, such accounts are clearly derivative, dependent on the earlier text, so how can they claim priority? The outstanding problem, it seems to me, has to do with the concept of "interpretation" as it commonly functions in our analyses. *Interpretation* is the process whereby a *reader* seeks to make sense out of a *text*, usually, in view of its *author*. In truth, this conception of "interpretation" appears to be the outgrowth of a series of historical processes, including the very emergence of Scripture as revealed text, that have positioned this complex of concepts and their relationship to one another as universal and transhistorical. To return to my opening comments, it relies on a certain image of what Scripture is and how one ought to relate to it. The proposed relationship between our "Prewritten Bible" texts and the canonical accounts seems to open up the possibility for an alternative model, one in which an interpretive consciousness with its sharp subject-object dichotomy has not yet been developed as such.¹¹⁹ For Jubilees and others, claiming as readers to discern the meaning of the Pentateuch is not what confers authority.¹²⁰ They seek to reach beyond the canonical account, to inscribe what came before, to return to an originating event. What results from

119 Some recent scholarship has pointed in this direction. Reed, "Pseudepigraphy," 480-83, challenges the idea of pseudepigrapha as exegesis in light of the fluidity that they suggest in what is "biblical." Najman ("Torah of Moses," 211) already highlights the problem of assuming a "postcanonical conception of Scripture and interpretation" and acknowledges modes of conferring authority other than interpretation in "Interpretation as Primordial Writing," 379-410. Paul Mandel ("The Origins of *Midrash* in the Second Temple Period," in *Current Trends in the Study of Midrash*, ed. C. Bakhos [Leiden: Brill, 2006], 9-34) shows that there has been a widespread tendency to misinterpret Second Temple attestations of the verb *darash* and its noun form *midrash* as entailing the *interpretation of text*. Steven D. Fraade ("Looking for Legal Midrash at Qumran," in *Biblical Perspectives: Early Use and Interpretation of the Bible in Light of the Dead Sea Scrolls*, ed. M. E. Stone and E. G. Chazon [Leiden: Brill, 1998], 59-79), challenges the consensus view that places interpretation front and center within the Dead Sea sect by insisting that we take the non-*midrashic* form of Qumran texts seriously. On this question, see, further, Aharon Shemesh and Cana Werman, "Halakhah at Qumran: Genre and Authority," *DSD* 10 (2003): 104-29. Finally, see Beate Ego, "Biblical Interpretation—Yes or No? Some Theoretical Considerations," in *What is Bible?* ed. K. Finsterbusch and A. Lange (Leuven: Peeters, 2012), 53-62, for the proposal that we speak of "interpretive processes," rather than "interpretation," as it is misleading for this period.

120 The question of interpretative authority at Qumran has been dealt with extensively. One question that remains is whether the formal element of quotation and comment, seen, for instance, in Peshar Habakkuk, represents as radical a shift as it would seem in the history of the conceptualization of interpretation. See, for instance, the position of Armin Lange, "From Paratext to Commentary," in Roitman, *Dead Sea Scrolls*, 195-216, esp. 212-16.

this “reaching before,” rather than “rendering after,” is a relationship of correspondence with, not derivation from, the pre-existing text. This text, in turn, helps validate the novel creation in so far as it can be seen to confirm many of its details. It may be in this sense that, for Jubilees, there is no “reader,” there is no “interpretation,” and there is no (earthly) “text,” at least, not one endowed with ultimate meaning and authority; there are only a variety of textual *emanations*, records reflecting in varying degrees of immediacy the moments over time that the heavenly tablets—originating law and events—have been revealed in part or otherwise.